

Message

From: Hicks, Matt [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=EAA50F546C9B440A98C82F4E9BD5BD69-HICKS, MATTHEW]
Sent: 6/29/2020 8:44:44 PM
To: Kupchan, Simma [Kupchan.Simma@epa.gov]
Subject: RE: FL Assumption NOC

Simma,

I spoke with Leif and he said that it may be best to hold off making any changes to the draft letter for now. Leif will let me know if he hears anything from Mary in terms of what direction they want us to go.

Thanks,

Matt

From: Hicks, Matt
Sent: Monday, June 29, 2020 10:43 AM
To: Kupchan, Simma <Kupchan.Simma@epa.gov>
Subject: RE: FL Assumption NOC

Yes, good additions. I'll go ahead and circulate with those additions in the event we get the green light. Thanks Simma!

From: Kupchan, Simma <Kupchan.Simma@epa.gov>
Sent: Monday, June 29, 2020 8:52 AM
To: Hicks, Matt <Hicks.Matthew@epa.gov>
Subject: Re: FL Assumption NOC

Thanks, Matt! This looks fine on a quick review.

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Feel free to circulate to others just in case we get a green light.

Simma

On Jun 26, 2020, at 6:23 PM, Hicks, Matt <Hicks.Matthew@epa.gov> wrote:

Simma,

See attached a draft letter to FDEP on the NOC changes. I wanted to run this by you first before transmitting to the larger group to see if this is what you had in mind.

Thanks,

Matt

From: Kupchan, Simma <Kupchan.Simma@epa.gov>

Sent: Thursday, June 25, 2020 5:47 PM

To: Hicks, Matt <Hicks.Matthew@epa.gov>; Hurlid, Kathy <Hurlid.Kathy@epa.gov>; Nagrani, Kavita <Nagrani.Kavita@epa.gov>; Calli, Rosemary <Calli.Rosemary@epa.gov>; Laycock, Kelly <Laycock.Kelly@epa.gov>; McGill, Thomas <Mcgill.Thomas@epa.gov>

Cc: Ghosh, Mita <Ghosh.Mita@epa.gov>

Subject: RE: FL Assumption NOC

Matt,

Would you have time to work on a draft letter to FL in case we are told to send one, and especially in case leadership wants to review? I was hoping to get it done today but am running out of time.

Perhaps it could be structured as follows:

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Simma Kupchan
EPA Office of General Counsel
Water Law Office
WJC North Building # 7426Q
202-564-3105

From: Hicks, Matt <Hicks.Matthew@epa.gov>
Sent: Thursday, June 25, 2020 1:38 PM
To: Kupchan, Simma <Kupchan.Simma@epa.gov>; Hurlid, Kathy <Hurlid.Kathy@epa.gov>; Nagrani, Kavita <Nagrani.Kavita@epa.gov>; Calli, Rosemary <Calli.Rosemary@epa.gov>; Laycock, Kelly <Laycock.Kelly@epa.gov>; McGill, Thomas <Mcgill.Thomas@epa.gov>
Cc: Palmer, Leif <Palmer.Leif@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>
Subject: RE: FL Assumption NOC

Simma,

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Thanks,

Matt

From: Kupchan, Simma <Kupchan.Simma@epa.gov>
Sent: Thursday, June 25, 2020 11:58 AM
To: Hicks, Matt <Hicks.Matthew@epa.gov>; Hurlid, Kathy <Hurlid.Kathy@epa.gov>; Nagrani, Kavita <Nagrani.Kavita@epa.gov>; Calli, Rosemary <Calli.Rosemary@epa.gov>; Laycock, Kelly <Laycock.Kelly@epa.gov>; McGill, Thomas <Mcgill.Thomas@epa.gov>
Cc: Palmer, Leif <Palmer.Leif@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>
Subject: RE: FL Assumption NOC

Thanks.

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Simma Kupchan
EPA Office of General Counsel
Water Law Office
WJC North Building # 7426Q
202-564-3105

From: Hicks, Matt <Hicks.Matthew@epa.gov>
Sent: Thursday, June 25, 2020 11:56 AM
To: Kupchan, Simma <Kupchan.Simma@epa.gov>; Hurlid, Kathy <Hurlid.Kathy@epa.gov>; Nagrani, Kavita <Nagrani.Kavita@epa.gov>; Calli, Rosemary <Calli.Rosemary@epa.gov>; Laycock, Kelly <Laycock.Kelly@epa.gov>; McGill, Thomas <Mcgill.Thomas@epa.gov>
Cc: Palmer, Leif <Palmer.Leif@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>
Subject: RE: FL Assumption NOC

Simma,

I don't know the answer to David's first question so I think we need to confirm with FDEP but what you said makes sense. In terms of sequencing, my thought is that we'll wait to hear from Mary and Dave about moving forward with comments before reaching out to FDEP about David's question but please correct me if I'm wrong.

On David's second question,

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I will be working Friday and Monday and this issue will be priority one for me.

From: Kupchan, Simma <Kupchan.Simma@epa.gov>

Sent: Thursday, June 25, 2020 9:57 AM

To: Hicks, Matt <Hicks.Matthew@epa.gov>; Hurlid, Kathy <Hurlid.Kathy@epa.gov>; Nagrani, Kavita <Nagrani.Kavita@epa.gov>; Calli, Rosemary <Calli.Rosemary@epa.gov>; Laycock, Kelly <Laycock.Kelly@epa.gov>; McGill, Thomas <McGill.Thomas@epa.gov>

Cc: Palmer, Leif <Palmer.Leif@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>

Subject: RE: FL Assumption NOC

All,

After some discussion,

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Thanks for all of your help here!

Finally, I will be out of the office tomorrow and Monday, but will be able to check email periodically and help shepherd as needed. **Matt and others** - let me know which of you might be out Friday and Monday.

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Simma Kupchan
EPA Office of General Counsel
Water Law Office
WJC North Building # 7426Q
202-564-3105

From: Kupchan, Simma

Sent: Wednesday, June 24, 2020 5:57 PM

To: Fotouhi, David <fotouhi.david@epa.gov>; Neugeboren, Steven <Neugeboren.Steven@epa.gov>;
Wehling, Carrie <Wehling.Carrie@epa.gov>

Subject: RE: FL Assumption NOC

Thanks, David. Carrie and I have discussed this issue with Region 4, and I have discussed separately with OW staff, and of the list of issues Mary forwarded of proposed changes to Florida's rules, we think the

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Thanks for your attention.

Simma Kupchan
EPA Office of General Counsel
Water Law Office
WJC North Building # 7426Q
202-564-3105

From: Fotouhi, David <Fotouhi.David@epa.gov>
Sent: Wednesday, June 24, 2020 3:36 PM
To: Neugeboren, Steven <Neugeboren.Steven@epa.gov>; Wehling, Carrie <Wehling.Carrie@epa.gov>;
Kupchan, Simma <Kupchan.Simma@epa.gov>
Subject: FW: FL Assumption NOC

Please see below

David Fotouhi

Principal Deputy General Counsel
Office of General Counsel
U.S. Environmental Protection Agency
Tel: +1 202.564.1976
fotouhi.david@epa.gov

From: Walker, Mary <walker.mary@epa.gov>
Sent: Wednesday, June 24, 2020 3:00 PM
To: Fotouhi, David <Fotouhi.David@epa.gov>; Ross, David P <ross.davidp@epa.gov>
Cc: Palmer, Leif <Palmer.Leif@epa.gov>
Subject: FW: FL Assumption NOC

David,

Below is the language in the Notice of Change that:

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Thanks

Mary

From: Hicks, Matt <Hicks.Matthew@epa.gov>

Sent: Tuesday, June 23, 2020 2:12 PM

To: Walker, Mary <walker.mary@epa.gov>

Cc: Palmer, Leif <Palmer.Leif@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>; Gettle, Jeaneanne <Gettle.Jeaneanne@epa.gov>; McGill, Thomas <Mcgill.Thomas@epa.gov>; Nagrani, Kavita <Nagrani.Kavita@epa.gov>; Ashbee, Blake <ashbee.blake@epa.gov>; Allenbach, Becky <Allenbach.Becky@epa.gov>

Subject: FW: FL Assumption NOC

Mary,

As discussed during our briefing, here's a summary of the relevant portions of the Notice of Change

Ex. 5 Deliberative Process (DP)

Simma Kupchan

(OGC) and Kathy Hurld (OWOW) had some additional thoughts on this which I'm happy to forward if it would be helpful.

Thank you,

Matt

From: Hicks, Matt

Sent: Friday, June 19, 2020 12:16 PM

To: Kupchan, Simma <Kupchan.Simma@epa.gov>; McGill, Thomas <Mcgill.Thomas@epa.gov>; Calli, Rosemary <Calli.Rosemary@epa.gov>; Laycock, Kelly <laycock.kelly@epa.gov>; Hurld, Kathy <Hurld.Kathy@epa.gov>; Nagrani, Kavita <Nagrani.Kavita@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>

Subject: FL Assumption NOC

Team,

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<Letter to FDEP regarding NOC.docx>